

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

QUINTEZ TALLEY,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 19-161
	)	
TIMOTHY MAZZOCCA, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Pending before the Court are the objections by *pro se* Plaintiff Quintez Talley (ECF No. 9), to the April 5, 2019, Report and Recommendation of the Magistrate Judge (ECF No. 6), which recommended that the Complaint be summarily dismissed pre-service for failure to state a claim pursuant to the screening provisions of 28 U.S.C. § § 1915(e)(2) and 1915A.

The Court has reviewed the matter and concludes that the Report and Recommendation correctly analyzes the issues and makes a sound recommendation. Upon consideration of the Complaint, together with the Report and Recommendation and objections filed by Plaintiff, and after undertaking a *de novo* review of the record,

IT IS HEREBY **ORDERED** that Plaintiff's Objections are **OVERRULED** as they are without merit.

IT IS FURTHER **ORDERED** that the Complaint is **DISMISSED** for failure to state a claim pursuant to the screening provisions of 28 U.S.C. § § 1915(e)(2) and 1915A and leave to amend is **DENIED** as futile.<sup>1</sup>

---

<sup>1</sup> Plaintiff's state law claims are dismissed without prejudice for want of jurisdiction.

IT IS FURTHER **ORDERED** that the Report and Recommendation of the Magistrate Judge, dated April 5, 2019, hereby is **ADOPTED** as the Opinion of the District Court.

The Clerk of Court is **ORDERED** to mark this case closed.

**SO ORDERED** this 8th day of May, 2019.

/s/ Nora Barry Fischer  
Nora Barry Fischer  
United States District Judge

cc/ecf: Honorable Cynthia Reed Eddy  
United States Magistrate Judge

QUINTEZ TALLEY  
KT 5091  
SCI Fayette  
48 Overlook Drive  
LaBelle, PA 15450-0999  
(via U.S. First Class Mail)